

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	CASE NO. 19-27159
Charise B Whaley)	
)	HON. Donald R Cassling
)	CHAPTER 13
DEBTOR.)	

NOTICE OF MOTION

TO: Trustee Tom Vaughn, 55 E. Monroe Street, #3850, Chicago, IL 60603, via electronic court notification;

Paul M. Bach, Bach Law Offices, representing Clark & Randolph LLC, P.O. Box 1285 Northbrook, IL 60065, via US mail;

Cari A Kauffman, Sorman & Frankel, Ltd., representing Americredit Financial Services, Inc. d/b/a GM Financial, 180 North LaSalle Street Suite 2700 Chicago, IL 60601, via US mail;

See attached service list.

PLEASE TAKE NOTICE THAT that on October 22, 2020 at 10:00 a.m., I will appear before the Honorable Judge Donald R Cassling or any judge sitting in that judge's place, and present the motion of Debtor to Modify Plan Post Confirmation, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 161 414 7941 and the password is 619. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

By: David H. Cutler
Counsel for Debtor(s)
Cutler & Associates, Ltd.
4131 Main St.
Skokie, IL 60076
Phone: (847) 673-8600
cutlerfilings@gmail.com

CERTIFICATE OF SERVICE

I, David H. Cutler, hereby certify that I served a copy of this notice and the attached motion electronically or through U.S. Mail on each entity shown on the attached list at the address shown on the list on October 1, 2020 by 8:30 p.m.

By: /s/ David H. Cutler
David H. Cutler, esq.
Counsel for Debtor(s)
Cutler & Associates, Ltd.
4131 Main St.
Skokie, IL 60076

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:)	Case No.: 19-27159
Charise B Whaley)	
)	Chapter 13
)	
)	Judge: Donald R. Cassling
Debtor(s))	

MOTION TO MODIFY PLAN POST CONFIRMATION

NOW COMES the Debtor, Charise B Whaley, (hereafter referred to as “the Debtor”), by and through her attorneys, The Law Offices of Cutler & Associates, Ltd., to present this Motion and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 USC 1334 and this is a "core proceeding" under 28 USC 157(b)(2).
2. The Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on September 25, 2019.
3. On February 6, 2020, this Honorable Court confirmed the Debtor’s Chapter 13 Plan.
4. The Debtor’s confirmation order provides for a plan payment of \$1,072 for 4 months then \$1,000 for 56 months for the remainder of the plan with unsecured creditors receiving 100% of their unsecured claims.
5. The Debtor has a current default as of the date of this motion of \$3,098.
6. The Debtor has paid in to date into the Chapter 13 plan \$9,190.
7. The Debtor fell behind on the trustee payments as she incurred out of pocket expenses for vehicle repairs and home appliances as she had to replace her stove.

8. The Debtor is able to make trustee payments going forward, but she is unable to catch up on the full default amount.
9. The Debtor is looking to modify her plan to spread the current plan default over the remaining months of her repayment plan by increasing her payment by \$68 a month, she can afford the proposed payment as the Debtor has received a slight hourly pay increase at her job.
10. The Debtor seeks to modify the plan to increase her monthly payment to \$1,068 a month, beginning November 2020 until the end of the plan to account for her current default and defer the default, with the plan base remaining the same.

WHEREFORE, the Debtor respectfully requests that this Court modify the Debtor's Plan Post Confirmation to increase her monthly plan payment to \$1,068 a month beginning November 2020 until the end of the plan and to defer the plan default and for such further relief that this Court may deem just and proper.

Dated: October 1, 2020

Respectfully Submitted,

By: /s/ David H. Cutler

David H. Cutler, esq.,
Counsel for Debtor(s):
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